

more than twenty. The only feature in your case that of sympathy. You are the head of a young family and you must not be taken from them for at least ten years. The court then sentenced Fitzgibbon to six years in the state prison—the minimum punishment proscribed by law.

ing day. Maritime, however, he induced by his veryattering representations, Mr. Church, one of the principal salesmen in the store, to let him convey away a suit of clothes without payment, merely as a token of his large debt. He then returned to the hotel, where he had a large party of his friends, and the last of the party, Mr. H. & Co. saw of Benson until he was arrested. During the forenoon of yesterday, Benson went into the store of Herring & Newman, fur dealers, No. 401 Broadway, where he stated that he had come from St. Louis to buy goods, that he had plenty of gold in his possession, to pay for them, and asked a score of dollars for a pair of trousers. He then showed them this form if it was good. Of course the answer was in the affirmative. He then proceeded to make his purchase, and when he had finished, he asked for the change. On finishing his purchase, he told Mr. Newman that he had the goods packed up, and he to be ready for shipping. He then asked for the change, and when he had paid for them, before he left the store, he induced Mr. Newman to allow him to carry away a box of rare goods, and when he had finished, he asked for the change. He then made the members of the firm promise that he was a stranger in the city, that he had no friends, and that he had a strong desire to see, before he took his departure for St. Louis. We next find him, in the afternoon, at the bar of Leary & Co., under

The most important and eloquent men in St. Louis, who were present, were Messrs. Herzog, Newnam, and several large steamboats on the Mississippi river, plying between New Orleans and St. Louis. That examined Messrs. Leary & Co.'s stock, and, without much inducement, purchased \$2,000 worth of furs. He then ordered Messrs. Herzog and Newnam to take the furs to order by Messrs. Lewin for the sum of \$3,000. That he had but an hour or two previously shown Messrs. Herzog & Newnam, and asked them to examine the goods, and that he would call at 3 o'clock, when the goods being packed up ready for shipment he would pay for them. That Messrs. Leary & Co. entered the store of Messrs. Lewin & Co., Broadway and Murray street, and that he had seen them there. That all of his business of buying and selling quickly vanished from his mind, for here he met the same Mr. Church, face to face, to whom he had been so much indebted. That he was, of course, not to be better imagined than described, sufficient to say that Benson, making some hurried excuse, abruptly took his departure, saying he would return in the morning. That he had not seen Benson during Benson's absence, at once recognized him as the man who obtained the suit of clothing from him about a week or two ago. That he had seen him at the office of Police's office, in the Park, where he stated his case to Mr. Matts, who called him an old thief, Keno, for the purpose of making him out to be a Keno player. That this officer received he succeeded in tracing him to the National Hotel, Cortlandt street, where he had registered under the name of J. Benson, alias Matts. That this officer here the furs of Messrs. Herzog & Newnam were found in his possession, which he confessed to the officer and he obtained from him a receipt for them. That he had then called on the Chief of Police last evening, where he was locked up for the night. Benson's baggage consisted of a trunk, a suitcase, a valise, and a small bag. That in his pocket when arrested. He is quite a prepossessing young man, and likely to create the sympathy of even entire strangers.

the purpose of showing that no fraud was intended to have been committed on the part of Edmund; that the amount of defalcation was not as great as that estimated by the prosecution; that the defendant was not guilty of the crime of larceny; that Edmund, did not come from any peculiar source, and that he did so only to expose these parties, and not to benefit himself. Evidence was also adduced going to show that the defendant was not a person of bad character, and that he did not belong to him, but was the property of his brother, Edward Edmund. The case was, at a late hour last evening, adjourned until to-day, at a clock of 12 P. M. when the counsel on both sides will sum up the evidence.

CHARGE OF HIGHWAY ROBBERY.

Yesterday, officer Jarvis arrested a man named Samuel Rothchild, on the complaint of Jacob Whitcomb, of No. 62 Division street, who alleges that on Thursday night he was attacked by the prisoner and knocked down, and that while on the ground he plucked from his shirt a watch and a cap, and carried them off with him, and thereafter the prisoner escaped. The accused was taken before Justice Wells, who committed him for examination. The accused says that he is entirely innocent of the crime, and that the complaint against him must be mistaken in the identity.

EXBIBILIMENT.

A young man named William O. Lawrence was arrested by officer Mansfield, of the Lower Police Court, on the complaint of Willard H. Smith, of Forsyth street, who alleges that the accused has from time to time embezzled various small sums of money, amounting in the aggregate to about \$2,000. This complaint was made some

Police Court, who disclaimed, it on the ground that no legal proof had been produced showing the commission of the offense charged. However, Mr. Lawrence, Mr. Smith, he says, obtained some additional evidence implicating the accused since the dismissal of the complaint. He then returned to the police Court, and accordingly he renewed the complaint before the police Court, and accordingly the police Court, who held the accused to answer. The case will be set down for a hearing at as early a day as possible.

CHARGE OF EMBEZZLEMENT.

James Peterson, Jacob Fox and Charles Walters were arrested by officer Ruse, of the Lower Police Court, charged with having embezzled a quantity of goods from their employer, Thomas Happell, sugar refiner and confectioner, 25 Duane street. It appears from the statements made on oath by the private investigator Walters, concerning a lot of valuable confectionery, delivered over to Fox, who offered to sell it to a man in the street, that the latter was the person who was first, made a complaint against them, and informed Mr. Happell, their employer, of the facts. They were taken before Justice Osborne, who committed them for examination.

BURGLARY.

Two colored men, named Thomas Johnson and Thomas Phill, were arrested by Captain Dowling and other officers of the Sixth ward police, charged with having committed

CHARGE OF MAYHEM. Officer Campbell, of the Lower Police Court, arrested a man named George Haley, charged, with having, a few nights ago, in a quarrel with John Moore, of Walkers street, bitten a piece off the latter's nose and also a portion of his upper lip. The particulars of the transaction have been given in another column, and need not be repeated here. The case is now before the court, the difficulty, the prisoner was taken before Justice Osborne, who allowed him to go at large on his own recognizance (Mr Haley, of Washington market) giving security to appear at the next sitting of the court, who issued the warrant for the arrest of the accused.

A shoemaker, named Keeble, living on No. 55 Charles street, was arrested yesterday by officer Underhill, of the Second district police corps, charged with having obtained \$30 in a fraudulent manner from a woman named Juliana Ruckle, with whom he had been on intimate terms. The prisoner was held to bail in the sum \$1,000, to answer, by Justice Clark.

NEW PRELARS OF MORMONISM.—John Smith, it will be remembered, was rather a Quillman kind of a prophet. Sometimes he was remonstrated with and rebuked by the members of his sect. One day he was told about Joe, as illustrative of his largeness and dignity. Says Joe—"If a man smite thee on the right cheek, turn to him the other also, but if he smite thee on the left cheek, stick out the other." The fellow, Quincy, was another good joke of Joe, at Nauvoo, when an offensive and rebellious gentleman was found among them; he was very formally waited upon and requested to sell out. If he then persisted in remaining, he was to be driven out by force of arms. Quincy said, "I don't want to do it, but I will." "I don't want to do it, but I will," said Quincy.

whittled: when he went off to town to trade, they followed him whittling; if he went to church or the arena, there were the eternal whittlers, grave of graves, never smiling. This was more than human endurance; it was a kind of staccato obstinacy. He would give up and out stick himself.—*Tolstoi* *Blad*, Dec. 23.

Obituary.

On the 10th inst. there died in H. prison county, Kentucky, a man by the name of PHILIP ROSSMAN, many years of age, who in days of revolutionary memory, was one of Marion's men. He was less than twenty years of age when he was killed. He was a distinguished General in the campaigns among the swamp fastnesses of South Carolina.